

**JAMES CITY COUNTY WETLANDS BOARD
MINUTES
Wednesday September 9, 2015**

A. ROLL CALL

John Hughes – Chair
William Apperson
Charles Roadley
Larry Waltrip

ABSENT

David Gussman

OTHERS PRESENT

County Staff (Staff):

Michael Woolson, Senior Watershed Planner
Scott J Thomas, Engineering and Resource Protection Director
Maxwell Hlavin, Assistant County Attorney
Melanie Davis, Secretary to the Board
Mark Eversole, Virginia Marine Resource Commission (VMRC)

The responsibility of this Board is to carry out locally the Commonwealth policy to preserve the wetlands and to accommodate economic activity so as to prevent their despoliation.

B. MINUTES

The August 12, 2015 Board minutes were approved as written.

C. PUBLIC HEARINGS

1. W-21-15 / VMRC 15-0873: Reece – 258 Sandy Bay Rd

Michael Woolson presented this case for the Joint Permit Application (JPA) submitted by Mr. John Reece for construction of an 80 foot seawall, a 40 foot shoreline delineation wall and a concrete boat ramp on his property at 258 Sandy Bay Road, JCC Parcel 4730100012. Mr. Woolson gave a history of previous improvements on this lot, described the current shoreline conditions and described the proposed structures. He demonstrated, using the VIMS-CCRM Coastal Management Decision Tree for Undeveloped Shorelines, that the appropriate shoreline protection would be either a marsh with fiber log or a riprap revetment. He also explained why the proposed structures did not meet all of the criteria necessary to achieve a no-net loss of existing wetlands acreage. Also, in Staff's opinion, the shoreline has not experienced significant erosion. Therefore, after reviewing the application for the proposed structures under the Wetlands Board jurisdiction, Staff recommended denial of the application however, should the Wetlands Board approve this application, Staff suggested requiring the conditions specified in the Resolution to Grant the permit.

Mr. Waltrip asked when the 3 foot depth was determined and who was responsible for removing the fallen trees in the water.

Mr. Woolson stated the 3 foot depth was at mean low water.

Mr. Eversole explained that in navigable waters VMRC would work with the land owner to have the trees removed but, in this up stream area the responsibility would fall to the property owner.

Mr. Roadley asked if Staff had discussed the alternate recommendations with the applicant.

Mr. Woolson said he spoke with Mr. Reece regarding his initial application but, not this revision.

Mr. Hughes opened the public hearing.

A. Mr. John Reece, the property owner and applicant, provided the Wetlands Board and Staff with a photograph of the property at mean low tide as well as a survey from the 1930's compared to the current survey that showed significant erosion. He also said there was boat traffic in the area that created wake impacting the shoreline. He proposed a bulkhead because of the 4 foot drop at the shoreline and the clean look of a bulkhead. He proposed the delineation wall to break the lawn area from the marsh. He proposed the boat ramp for launching of a small boat without getting into the mud. Although he requested a concrete ramp he would be willing to use gravel. He stated he would follow the recommendations of this Board as his desire was to protect the shoreline.

Mr. Roadley asked what size of boat he wished to launch from the proposed ramp since he was agreeable to using gravel instead of concrete.

A. Mr. Reece said he at least needed a ramp to launch a canoe or jon boat.

Mr. Roadley explained why the recommendations by VIMS and Staff made him reluctant to recommend approval for the permit. He suggested Mr. Reese request a deferral in order to meet with Staff and discuss the other options for protecting the shoreline on his property.

Mr. Apperson agreed that he would prefer a smaller, gravel ramp since there were other ramps in the area available to use for a larger boat. He also would prefer a living shoreline in this area.

Mr. Waltrip also would prefer a living shoreline proposal and he suggested using the eco paver blocks for a smaller ramp. He also stated that given the water depth in this area, the applicant would only be able to launch a larger boat at high tide.

Mr. Hughes agreed with the other Board members and asked Mr. Reece if he wished to request a deferral and continuance of the public hearing to discuss and consider the alternative options.

A. Mr. Reece stated that he did.

Mr. Hughes made a motion to defer the Board decision and continue the public hearing for case W-21-15/ VMRC 15-0873 at 258 Sandy Bay Rd, Parcel 4730100012 ,to November 12, 2015.

The motion was approved by a 4-0 vote.

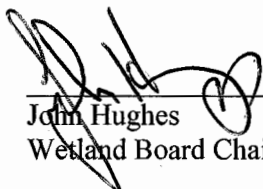
D. BOARD CONSIDERATIONS - none

E. MATTERS OF SPECIAL PRIVILEGE

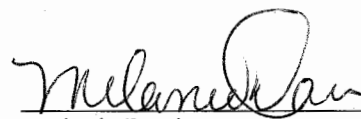
Mr. Woolson announced that Mr. Eversole would be giving a short presentation at the November 12, 2015 meeting.

F. ADJOURNMENT

The meeting adjourned at 7:40 p.m.



John Hughes
Wetland Board Chair



Melanie Davis
Secretary to the Board